REMARKS

Claims 1-18 remain pending in the application including independent claims 1 and 11. Applicant thanks the examiner for the detailed comments in response to applicant's previously submitted arguments. Applicant has amended independent claims 1 and 11 as requested by the examiner to more clearly define the patentable features.

Claims 1, 2, 6, 8, and 9 stand rejected under 35 U.S.C. 102(e) as being anticipated by Creguer (US 6541929). With regard to claim 1 the examiner admits that Creguer does not have a controller that performs the steps as set forth in claim 1, but instead argues that based on a broad interpretation of Creguer a vehicle occupant could perform the steps of Cregeur by manually operating the window switches.

While applicant appreciates that it is well settled that the terms in a claim are to be given their broadest interpretation, however, this interpretation must be a reasonable interpretation and must be consistent with applicant's specification, with claim language being read in light of the specification as it would be interpreted by one of ordinary skill in the art. In re Bond, 15 USPQ2d 1566, 1567 (Fed. Cir. 1990). Applicant's method of window control provides simultaneous closing of multiple window panes without experiencing a voltage drop in an on-board supply, which could otherwise adversely affect other vehicle systems such as electronic steering or braking.

Applicant accomplishes this by utilizing a controller that detects when the first window pane is approaching a fully closed position, checks whether the second window pane is

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approaching the fully closed position, moves the first window pane to an approximately closed position if the second window pane is approaching the fully closed position, and moves the first window pane to the fully closed position if the second window pane is not approaching the fully closed position. This process is explained in detail in paragraphs [22]-[27] and shown in Figure 2. One of ordinary skill in the art simply would not consider a vehicle occupant that could operate switches in Creguer in a specified manner by the examiner as corresponding to the claimed detecting, checking, and moving steps as defined in claim 1.

However, to facilitate prosecution, applicant has amended claim 1 to clarify that a control module performs the recited steps, i.e. the steps are not performed by a vehicle occupant. Thus, applicant asserts that Creguer clearly does not anticipate claim 1 as amended.

Claims 3-5 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Creguer in view of Ikeda (JP 10-102905). This rejection is moot in light of the amendment to claim 1 set forth above.

Claim 7 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Creguer in view of Ikeda (JP 10-102905) and further in view of Itoh (US 4870333). This rejection is moot in light of the amendment to claim 1 set forth above.

Claim 10 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Creguer in view of Kurihara et al. (US 4536687). This rejection is moot in light of the amendment to claim 1 set forth above.

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Claims 11-12 and 15-18 stand rejected under 35 U.S.C. 102(b) as being anticipated by Ikeda (JP 10-102905). The examiner has provided additional arguments (set forth at page 13 of the present official action), in response to applicant's arguments concerning claim 11. Specifically, the examiner interprets Ikeda in the following manner: "a power window approaches a closed position as, for example, a window closes if a hand or another object impedes its progress a blocking type signal would generate. Therefore, as the claims would indicate, a blocking signal would not generate if there were no impediment or blocking of the window."

Applicant does not fully understand what point the examiner is trying to make with this argument. As applicant best understands the examiner's position, the examiner seems to be arguing that a "fully closed position" could be interpreted as a position where a window stops when blocked by an obstacle. Applicant respectfully disagrees with this interpretation. If an obstacle is in the path of a closing window pane, and if movement of the window pane stops because of the obstacle, the resulting position of the window pane is clearly not a fully closed position. Instead, the window pane would be at an intermediate position between fully open and fully closed. One of ordinary skill in the art would never interpret such an intermediate position as corresponding to applicant's "fully closed position" as set forth in claim 11.

However, to facilitate prosecution, applicant has amended claim 11 to clarify that a fully closed position comprises a position where an upper edge portion of a window pane presses

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against an associated window seal. Thus, applicant asserts that Ikeda clearly does not anticipate claim 11 as amended.

Claims 13-14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Ikeda (JP 10-102905) in view of Itoh (US 4870333). This rejection is moot in light of the amendment to claim 11 set forth above.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited. Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

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Dated: June 14, 2005

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number (703) 872-9306, on June 14, 2005.

Laura Combs

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